

1 TERRY E. SANCHEZ (State Bar No. 101318)
terry.sanchez@mto.com
2 MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue
3 Thirty-Fifth Floor
Los Angeles, California 90071-1560
4 Telephone: (213) 683-9100
Facsimile: (213) 687-3702

5
6 MALCOLM A. HEINICKE (State Bar No. 194174)
malcolm.heinicke@mto.com
560 Mission St.
7 Twenty-Seventh Floor
San Francisco, CA 94105
8 Telephone: (415) 512-4000
Facsimile: (415) 644-6929

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10 Attorneys for Defendants WELLS FARGO &
COMPANY; WELLS FARGO ADVISORS,
LLC; and WELLS FARGO ADVISORS
11 FINANCIAL NETWORK, LLC

12 [ADDITIONAL COUNSEL LISTED ON
SIGNATURE PAGE]

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

17 KENNISON WAKEFIELD, WILLIAM
STONHAUS, individually and on behalf of all
18 others similarly situated,

19 Plaintiffs,
20 vs.

21 WELLS FARGO & COMPANY, WELLS
FARGO ADVISORS, LLC, and WELLS
22 FARGO ADVISORS FINANCIAL
NETWORK, LLC and DOES 1 through 20,

23 Defendants.

Case No. 3:13-cv-05053-LB

**STIPULATION RE JOINT STATEMENT
OF UNDISPUTED FACTS ON
DEFENDANTS' MOTION FOR PARTIAL
SUMMARY JUDGMENT : ORDER**

Judge: Hon. Laurel Beeler

1 WHEREAS, on July 22, 2014, Defendants Wells Fargo & Co., Wells Fargo
2 Advisors, LLC, and Wells Fargo Financial Network, LLC (“Defendants”) will file a motion for
3 partial summary judgment pursuant to the parties’ Memorandum of Understanding (lodged with
4 the Court on June 19, 2014) and the Court’s order dated June 19, 2014 (Dkt. No. 38);

5 WHEREAS, pursuant to the Court’s Standing Order dated April 18, 2014, the
6 parties have agreed upon a joint statement of undisputed facts (“SUF”);

7 WHEREAS, some of the facts contained in the SUF will be supported by evidence
8 submitted by Defendants in connection with Defendants’ opening brief and some by evidence
9 submitted by Plaintiffs in connection with Plaintiff’s opposition brief;

10 WHEREAS, Plaintiffs will not be in a position to finalize their evidence by July 22,
11 2014 but will update the SUF with paragraph and exhibit references to Plaintiffs’ evidence at the
12 time Plaintiffs’ opposition brief is filed on August 5, 2014;

13 NOW, THEREFORE, the parties stipulate as follows:

14 1. Each fact contained in the SUF is undisputed and is supported by evidence
15 in the parties’ possession.

16 2. Defendants will file the SUF and their supporting evidence on July 22,
17 2014.

18 3. Plaintiffs shall then re-file the SUF, along with their supporting evidence on
19 August 5, 2014, and shall support any and all facts in the SUF that are not supported by evidence
20 submitted by Defendants. No fact within the SUF shall go unsupported.

21 4. The re-filed SUF shall be the same in form and in content—with the sole
22 exception that Plaintiffs will update the SUF with paragraph and exhibit references to Plaintiffs’
23 evidence—and shall serve to supplant the SUF filed by Defendants on July 22, 2014. No
24 augmentations, deletions, or other modifications to the substance of the SUF shall be made at the
25 time of the re-filing of the SUF on August 5, 2014.

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27 SO STIPULATED.

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1 DATED: July 21, 2014

MUNGER, TOLLES & OLSON LLP

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By: /s/ Terry E. Sanchez

TERRY E. SANCHEZ

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Attorneys for Defendants WELLS FARGO &
COMPANY; WELLS FARGO ADVISORS, LLC; and
WELLS FARGO ADVISORS FINANCIAL
NETWORK, LLC

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DATED: July 21, 2014

BARTKO, ZANKEL, BUNZEL & MILLER

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By: /s/ Robert H. Bunzel

ROBERT H. BUNZEL

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Dated: July 23, 2014

Attorneys for Plaintiffs Kennison Wakefield and
William Stonhaus

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FILER'S ATTESTATION

Pursuant to Local Rule 5-1(i)(3), regarding signatures, I attest under penalty of perjury that concurrence in the filing of the document has been obtained from Robert H. Bunzel.

DATED: July 21, 2014

MUNGER, TOLLES & OLSON LLP

By: /s/ Terry E. Sanchez
TERRY E. SANCHEZ